

Notice of Allowability

Application No.

10/743,964

Examiner

Yewebdar T. Tadesse

Applicant(s)

NGUYEN, ANDREW P.

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/19/2007.
2. ☒ The allowed claim(s) is/are 1-10 and 13-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20070928</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Drawings

1. The drawings filed on 12/22/2003 are acceptable by the examiner.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jennifer Hayes on 09/25/2007. Examiner has left a message to the attorney Hayes on 09/28/07 for some more minor claim language corrections.

3. The application has been amended as follows:

In the claims:

In claim 1, line 20; insert the phrase --first and second-- between the words "the" and "openings".

In claim 1, line 23; replace the word "cylinder" with the phrase --first component--.

In claim 15, line 7, replace the phrase "an opening" with --at least one opening--.

In claim 15, line 8, replace the phrase "the opening" with --the at least one opening--

In claim 15, line 17; replace the phrase "the opening" with --the at least one opening--.

In claim 15, line 25; replace the punctuation mark [.] with the punctuation mark --, -- and insert the limitation listed below starting the phrase on a new line.

--wherein the first component of the dispense arm actuator has first and second openings, the passageway interconnects the first and second openings, and wherein the pump is connected to the first and second openings and further comprising a switch interconnecting the pump and the first component, the controller being connected to the switch, and wherein the controller controls the switch to change the supply of fluid between the first opening and the second opening when the piston is in the second position.--

In claim 18, lines 2-3 delete the phrase [wherein the first component of the actuator has first and second openings, the passageway interconnects the openings].

4. Claims 1-10 and 13-19 are allowed.

5. The following is an examiner's statement of reasons for allowance: Morita et al '086 does not disclose a pump and in Kajita et al (see Fig 1) the at least one pump (22) is not connected to the first and second openings of the actuator. Wilbur et al (US 6,257,118) discloses (see Fig 1) an apparatus comprising an actuator connected to a pump (150). However, in Wilbur et al the pump is not connected to the first and second openings of the actuator. None of the prior arts reviewed or cited does not disclose or suggest a semiconductor processing apparatus or an apparatus comprising, among others, an actuator with first and second components the passageway interconnects the

Art Unit: 1734

first, a second openings housed in the passageway, at least one sensor detecting the position of the second components within the passageway, a controller, wherein the at least one pump is connected to the first and second openings and to the first component through a switch and the controller controls the switch to change the supply of fluid between the first opening and the second opening.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T. Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tucker Phillip can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to be 'D. H. N. O.' or similar, written in a cursive style.

YTT